S T A T E O F N E W Y O R K

2785

2009-2010 Regular Sessions

I N S E N A T E

March 3, 2009

Introduced by Sens. ADAMS, KRUEGER, MONSERRATE, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the correction law, in relation to establishing a general equivalency program and a higher education program for inmates

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The correction law is amended by adding a new section 136-a to read as follows:

S 136-A. GENERAL EQUIVALENCY PROGRAM AND HIGHER EDUCATION OF PERSONS IN CORRECTIONAL FACILITIES. 1. ALL INMATES ADMITTED TO THE DEPARTMENT SERVING A DETERMINATE TERM OF IMPRISONMENT, OR AN INDETERMINATE SENTENCE OF IMPRISONMENT OTHER THAN A SENTENCE OF LIFE IMPRISONMENT WITHOUT PAROLE, WHO HAVE BEEN EVALUATED UPON ADMISSION PURSUANT TO SUBDIVISION ONE OF SECTION ONE HUNDRED THIRTY-SEVEN OF THIS ARTICLE AND ARE DETERMINED TO BE CAPABLE OF SUCCESSFULLY COMPLETING THE ACADEMIC COURSE WORK REQUIRED FOR A GENERAL EQUIVALENCY DIPLOMA OR COLLEGE CREDIT COURSES, SHALL BE PROVIDED WITH THE OPPORTUNITY TO COMPLETE SUCH COURSE WORK. UPON ADMISSION TO THE DEPARTMENT, SUCH INMATES WILL BE PROVIDED WITH WRITTEN NOTICE THAT GENERAL EQUIVALENCY PROGRAMS AND COLLEGE CREDIT PROGRAMS ARE AVAILABLE FOR ALL INMATES WHO SO APPLY.

2. THE DEPARTMENT SHALL ENSURE THAT ACADEMIC EDUCATION PROGRAMS WHICH PROVIDE THE APPROPRIATE CURRICULUM AND CERTIFIED ACADEMIC STAFF FOR GENERAL EQUIVALENCY AND COLLEGE CREDIT INSTRUCTION ARE AVAILABLE AT ALL CORRECTIONAL FACILITIES HOUSING INMATES WHO ARE ELIGIBLE. THE DEPARTMENT SHALL PROVIDE ACADEMIC STAFF WHO ARE QUALIFIED TO PROVIDE SUCH INSTRUCTION AND WHO ARE MEMBERS OF THE COMPETITIVE CLASS OF THE CIVIL SERVICE OF NEW YORK STATE. THE DEPARTMENT SHALL PROVIDE SUFFICIENT STAFF AT EACH CORRECTIONAL FACILITY WHERE ELIGIBLE INMATES ARE CONFINED TO ENSURE A CLASSROOM RATIO OF TWENTY INMATES FOR EACH INSTRUCTOR. THE COMMISSIONER, IN COOPERATION WITH THE COMMISSIONER OF EDUCATION, SHALL SET UP THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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EDUCATIONAL REQUIREMENTS FOR THE CERTIFICATION OF TEACHERS IN ALL SUCH CORRECTIONAL FACILITIES. THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF EDUCATION, SHALL DEVELOP A CURRICULA AND A PLAN FOR IMPLEMENTATION OF THE GENERAL EQUIVALENCY AND COLLEGE CREDIT PROGRAMS AND SHALL ISSUE A REPORT WITHIN TWELVE MONTHS AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.